

The 18th November, 1979

No. 11 (112)-3 Lab-79/16485.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Impreges and Insulation Corporation, Faridabad.

BEFORE SHRI GURMESH PARKASH, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD

Reference No. 18 of 1979

between

SHRI VISHWA NATH, WORKMAN AND THE MANAGEMENT OF M/S. IMPREGES AND
INSULATION CORPORATION, FARIDABAD.

Present:

None for the workman..

Shri K.P. Gupta, for the management.

AWARD

This reference has been made over to this Court by the Honourable Governor of Haryana, —
vide his order No. ID/FD/147-79 under section 10(1) (c) of the Industrial Disputes Act, 1947 for adjudication the dispute existing between workman Vishwa Nath and the management of M/s Impreges and Insulation Corporation, 54, N.I.T., Faridabad. The terms of the reference was :—

“Whether the termination of services of Shri Vishwa Nath was justified and in order ? If not, to what relief he is entitled ?

After receiving this reference notices were issued to both the parties. The address of the workman given in the reference is Union Office, opposit Government Girls Middle School No. 1, N.I.T., Faridabad. In response to the notice to the workman one Mr. Lachhi Ram, office Secretary of this above said union appeared before this Court and made a statement that this workman has left Faridabad and his whereabouts is not known. He also stated that so far he knows this workman has already fully and finally settled his dispute with the management. In these circumstances, because no other address of the workman is available on the file. It was ordered by me on 11th December, 1979 that *ex parte* proceedings be held against the workman. It was also ordered by me that management should produce their evidence in support of their case.

On 13th December, 1979 management examined one M.W. Mr. K.P. Gupta, Factory Manager as M.W. 1. He deposed before this court that this workman has already fully and finally settled his claim with this management and in token of this settlement he has received Rs 156 and Paise 18 and has signed on the receipt. He further deposed that this workman himself has written on the receipt that he has fully and finally settled his dispute with the management. The photostat copy of this receipt is Ex. M.W. 1/A. After examining one M.W. the management closed his evidence.

Keeping in view the circumstances of this case there is no reason why the *ex parte* evidence of the management should not be relied on. Hence relying on the Ex. M.W. 1/A it become clear that there is now no dispute between the parties requiring adjudication. The demand raised by the workman against the management leading of this reference has already been duly satisfied. So I answer this reference while returning the award in these terms.

The

GURMESH PARKASH,
Presiding Officer,
Labour Court,
Faridabad.

Endorsement No. 210, dated the 14th December, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

GURMESH PARKASH,
Presiding Officer,
Labour Court,
Faridabad.

H. L. GUGNANI, Secy.